



T.D #4
0300

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	ATTY'S DKT: LICHT4
)	
LICHT)	
)	
Appln. No.: 10/076,268)	
)	Washington, D.C.
Filed: February 19, 2002)	
)	May 13, 2002
For: SILVER MANAGANESE...)	
)	Attn: PETITIONS

**PETITION AND RESPONSE TO NOTICE OF INCOMPLETE
NONPROVISIONAL APPLICATION**

FILED UNDER 37 CFR 1.53(b)

Honorable Commissioner of Patents
Washington D.C. 20231

RECEIVED

MAY 31 2002

OFFICE OF PETITIONS

Sir:

Applicant is in receipt of the Notice of Incomplete Nonprovisional Application, mailed March 12, 2001, which indicates that the application was deposited without drawings.

As the PTO is incorrect in that eight (8) sheets of drawings, containing figures 1-8, were originally filed with this application on February 19, 2002, applicant requests withdrawal of the Notice of Incomplete Application.

As evidence of said timely filing of the drawing figures 1-8, attached please find a copy of the return postcard date-stamped by the PTO Mail Room as showing the drawing figures were timely received by the PTO on February 19, 2002. Also attached is a copy of the first page of the transmittal letter of February 19, 2002, which indicates that the application was

being filed with eight (8) sheets of formal drawings, containing figures 1-8. A copy of the application data sheet originally filed with the application, which also indicates that there are eight sheets of formal drawings, is also attached.

As it appears that the presently missing drawing sheets somehow became separated from the file after receipt by the PTO, copies of the sheets are attached herewith.

In view of the above evidence, it is clear that the presently missing drawings were originally filed with the application on February 19, 2002. Indeed, the postcard receipt by itself should be sufficient, as MPEP Section 503 states:

A postcard receipt which itemizes and properly identifies the papers which are being filed serves as *prima facie* evidence of receipt of the PTO of all items listed there on the date stamped thereon by the PTO.

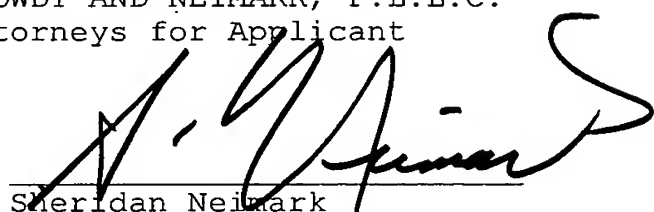
Thus, as it is clear from the evidence submitted that the drawings were timely filed with the application, it is respectfully requested that the requirement for missing drawings as set forth on the Notice of Incomplete Nonprovisional application be withdrawn.

In re appln. no. [REDACTED].076,268

It is respectfully requested that any fee due be charged
to the deposit account of the undersigned (02-4035).

BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant

By


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PATENT

MAY 13 2002

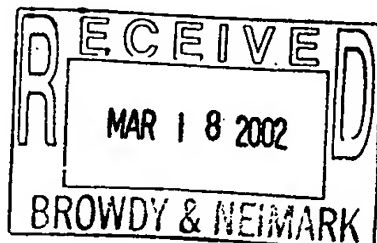
398

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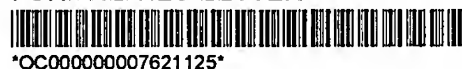
APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/076,268	02/19/2002	Stuart Licht	LICHT=4

001444
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CONFIRMATION NO. 2270

FORMALITIES LETTER



OC000000007621125

Date Mailed: 03/12/2002

NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has NOT been accorded to the above-identified application papers for the reason(s) indicated below.

All of the items noted below and a newly executed oath or declaration covering the items must be submitted within **TWO MONTHS** of the date of this Notice, unless otherwise indicated, or proceedings on the application will be terminated (37 CFR 1.53(e)).

The filing date will be the date of receipt of all items required below, unless otherwise indicated. Any assertions that the item(s) required below were submitted, or are not necessary for a filing date, must be by way of petition directed to the attention of the Office of Petitions accompanied by the \$130.00 petition fee (37 CFR 1.17(h)). If the petition states that the application is entitled to a filing date, a request for a refund of the petition fee may be included in the petition.

- The application was deposited without drawings. 35 U.S.C. 113 (first sentence) requires a drawing "where necessary for the understanding of the subject matter sought to be patented." Applicant should reconsider whether the drawings are necessary under 35 U.S.C. 113 (first sentence).

152-12442002
DKT 3-20-02

A copy of this notice **MUST** be returned with the reply.

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



#3

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February 19, 2002

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PRACTICE SUPERVISED BY
PRINCIPALS OF THE FIRM

Hon. Commissioner for Patents
Box Patent Appln
Washington, D.C. 20231

Re: New Patent Application in U.S.
Applicant(s): Stuart LICHT
Title: SILVER MAGANESE SALT CATHODES FOR ALKALINE BATTERIES
Atty's Docket: LICHT=4

Sir:

Attached herewith is the above-identified application for Letters Patent including:

- ☒ Application Data Sheet
- ☒ Specification (12 pages), claims (3 pages) and abstract (1 page)
- ☒ 8 Sheets Drawings (Figures 1-8)
 - ☒ FORMAL ☐ Informal
- ☒ Declaration and Power of Attorney (2 page(s))
 - ☒ Newly executed ☐ Copy from prior application no. _____
- ☐ Preliminary Amendment
 - ☐ Computer-readable Sequence Listing
- ☐ Supplemental Preliminary Amendment
- ☐ Information Disclosure Statement with SB/08A and ___ references
- ☐ Applicant claims small entity status. See 37 C.F.R. §1.27.
- ☐ A check (check no. _____) in the amount of \$_____ to cover:
- ☒ Credit Card Payment Form, PTO-2038, authorizing payment in the amount of \$ 938.00 to cover:
- ☒ The filing fee calculated as follows (including any preliminary amendment for entry prior to calculation of the filing fee):

CLAIMS AS FILED				
FOR	NUMBER FILED	NUMBER EXTRA	RATE	BASIC FEE \$ 740.00
TOTAL CLAIMS	31 - 20	= 11	x 18	\$ 198.00
INDEPENDENT CLAIMS	1 - 3	= 0	x 84	--
<input type="checkbox"/> Multiple Dependent Claim Presented			+ 280	--
<input type="checkbox"/> Reduction of 1/2 for Small Entity				
TOTAL FILING FEE				\$ 938.00



FILED: February 19, 2002
APPLICANT(S): Stuart/LICHT

THE PATENT AND TRADEMARK OFFICE STAMP HEREON
ACKNOWLEDGES RECEIPT OF THE ABOVE-IDENTIFIED
APPLICATION, INCLUDING THE FOLLOWING PAPERS:

- ☒ FEES \$ 938.00 (CH. # PTO-2038)
☒ NEW APPLICATION TRANSMITTAL LETTER
☒ ORIGINAL NON-PROVISIONAL UTILITY
☐ CONTINUATION-IN-PART (37 CFR §1.53(b))
☐ CONTINUATION (37 CFR §1.53(b))
☐ DIVISIONAL (37 CFR §1.53(b))
☐ DESIGN
☐ PLANT
☐ PROVISIONAL
☒ SPECIFICATION AND CLAIMS (16 pages)
☒ DRAWINGS (8 sheets; 1-8 figures)
☐ SEQUENCE LISTING ☐ WITH DISK
☒ DECLARATION (2 pages)
☒ APPLICATION DATA SHEET

DOCKET NO.: LICHT=4
[PARENT CASE: _____]

11002 U.S. PTO
10/076268
02/19/02

- ☐ INFORMATION DISCLOSURE STATEMENT (_____ pages)
☐ FORM 1449 (_____ pages)
☐ _____ PATENTS AND/OR PRINTED PUBLICATIONS
☐ PRELIMINARY AMENDMENT
☐ SUPPLEMENTAL PRELIMINARY AMENDMENT
☐ OTHER AMENDMENT
☒ 1 PRIORITY DOCUMENT(S) NO. IL-141527
☐ OTHER _____

INVENTOR INFORMATION

Inventor One Given Name:: Stuart
Family Name:: LICHT
Postal Address Line One:: Gutwirth Science Park - Technion City,
City:: Haifa
Country:: Israel
Postal or Zip Code:: 32000
Citizenship Country:: Israel

CORRESPONDENCE INFORMATION

Correspondence Customer Number:: 001444
Fax One:: 202-737-3528
Electronic Mail One:: Mail@BrowdyNeimark.com

APPLICATION INFORMATION

Title Line One:: SILVER MAGANESE SALT CATHODES FOR ALKALI
Title Line Two:: NE BATTERIES
Total Drawing Sheets:: 8
Formal Drawings?: Yes
Application Type:: Utility
Docket Number:: LICHT=4
Secrecy Order in Parent Appl.?: No

REPRESENTATIVE INFORMATION

Representative Customer Number:: 1444

PRIOR FOREIGN APPLICATIONS

Foreign Application One:: 141527
Filing Date:: 02-20-2001
Country:: Israel
Priority Claimed:: Yes

Source:: PrintEFS Version 1.0.1